PATENT APPLICATION
Mo-7292C
MD-01-109B-LS-C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF

RICHARD ROESLER ET AL

SERIAL NUMBER: 10/690,931

FILED: OCTOBER 22, 2003

TITLE: POLYETHER URETHANES CONTAINING ONE REACTIVE SILANE GROUP AND THEIR USE IN MOISTURE-CURABLE POLYETHER URETHANES

GROUP NO.: 1712

EXAMINER: M. MOORE

DECLARATION UNDER 37 CFR 1.131

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

I, Richard R. Roesler, declare that:

1. I am one of the inventors who, on October 22, 2003, filed the above-identified application Serial No.10/690,931.

2. Prior to May 31, 2002, the filing date of U.S. Application Ser. Nos. 10/160,463 and 10/160,361, the parent applications of U.S. Application Ser. Nos. 10/690,955 and 10/690,751 respectively, we completed our invention in Pittsburgh, Pennsylvania, as evidenced by the following:

a. On October 30, 2001, having earlier conceived the idea of using silane terminated polyurethanes to prepare caulks, sealants and adhesives, we filed a Memorandum of Invention with the Patent Department at Bayer Polymers LLC, Pittsburgh, PA. A copy of the Memorandum of Invention is submitted herewith.

b. On June 18, 2002, an application (Ser. No. 10/174,375) was filed in the United States Patent and Trademark Office (USPTO) disclosing and claiming an invention disclosed in the Memorandum of Invention. A copy of the Memorandum of Invention is submitted herewith.

c. On October 22, 2003, a Continuation-In-Part application (Ser. No. 10/690,931), claiming priority to the June 18, 2002, an application was filed with January 24, 2002, the present application was filed in the as the USPTO.

3. I do not know and do not believe that the invention has been in public use or on sale in the United States or patented or described in a printed publication in the U.S. or any other country for more than one year prior to the June 18, 2002 application, and we have never abandoned the application.

4. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Further Declarant Sayeth Not.

Signed at Pittsburgh, PA; this 3rd day of December, 2004.

Richard R. Roesler

jdg/matz/gm060

PAGE 6/20 * RCVD AT 12/15/2004 2:57:08 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:4127778364 * DURATION (mm-ss):12-04